

Burns Harbor Town Council
Regular Meeting
March 9, 2016

The Town Council of the Town of Burns Harbor, Porter County, Indiana met in its regular session on Wednesday, March 9, 2016 in the Town Hall. The meeting was called to order by Council President, Raymond Poparad at 7:07 p.m.

The Pledge of Allegiance to the American Flag was recited.

Roll Call: Toni Biancardi ----- Present

Andrew Bozak ----- Present

Eric Hull ----- Present

Raymond Poparad ---- Present

Marcus Rogala ----- Present

Clerk-Treasurer Jane Jordan was present. A quorum was attained.

Additional Officials Present: Attorney Clay Patton, Town Marshal Michael Heckman, Street Superintendent Pat Melton and Building Commissioner/Fire Chief/Sanitation Superintendent William Arney.

Also Present: Jeff Schultz of the Chesterton Tribune

Approval of Minutes:

Councilwoman Biancardi made a motion to approve February 10, 2016 meeting minutes.

Councilman Hull seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Reports:

Building Commissioner Arney went over the monthly report and stated that the report is in the Council members' boxes.

Street Superintendent Pat Melton went over the monthly report and stated that the report is in the Council members' boxes. Superintendent Melton informed the Council that the department has removed three bus shelters. The brush pickup program begins the first Monday in May but, the department will collect brush from the side of the road when we have high winds. The salt spreader is rusted out and a purchase order has been submitted to buy a tailgate spreader. A quote was submitted to do street sweeping in April. Councilman Hull asked if the bus stop shelters could be put into the lake for the divers. Superintendent Melton stated they are falling apart as we are trying to remove them.

Town Marshal Heckman went over the monthly report and stated that the report is in the Council members' boxes.

Fire Chief Arney went over the monthly report and stated that the report is in the Council members' boxes. Fire Chief Arney indicated the Five Guys fundraiser was a successful. The money will be used for Burn Camp and Shop with a Firefighter. We will be invoiced soon for the Town's ten percent match of the FEMA multi-agency grant which will replace all our breathing air system bottles, masks and accountability system.

Sanitation Superintendent Arney indicated we are still having power issues with lift stations. Councilman Poparad asked if NIPSCO gave a timeframe of when they will respond. Superintendent Arney stated sometime next week to survey what they will need.

Park Board President Amanda Sucku informed the Council the Park will be holding their Spectacular Easter Egg Event this Saturday rain or shine. The Burns Harbor Park Board would recommendation that the Town Council appoints Chuck Tuter as the member to the Park Board. Councilwoman Biancardi made a motion that the Town appoints Chuck Tuter (Republican appointment expires December 31, 2019) to the Park Board. Councilman Hull seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.** Councilman Rogala informed the Council that the Park has not treated the Lake for weed control in seven years. The cost to treat the entire lake would be thirty-five hundred dollars. Councilman Rogala made a motion that the Town pays half and the Park pays half of that cost to treat the lake. Councilman Bozak seconded the motion. Councilwoman Biancardi asked what fund he would suggest it be paid from. Councilman Bozak asked if there was a guarantee that it is a partial kill and will get the weeds away from the swimming and dive areas. Councilman Hull made a motion that the

Burns Harbor Town Council
Regular Meeting
March 9, 2016

Town pays for half the cost to treat the lake and that the funds be taken from the General Fund miscellaneous services 101001392. Councilman Rogala seconded the motion. Councilman Bozak stated I still feel we need something in there to protect ourselves so there will be some kind of deliverable. Councilman Poparad asked have they done it before. Councilman Bozak stated yes and they killed too much. Councilwoman Biancardi stated would the Park Board be willing to request a guarantee. Councilwoman Biancardi – Aye, Councilman Bozak – Nay, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.** Councilman Rogala informed the Council that the Spectacular Egg Hunt is an hour before the Egg Hunt that is open to everyone. The Spectacular Egg Hunt is specially designed for children who are blind, in wheelchairs and/or autistic. The Park will need volunteers for this event to make it special for all the kids who participate.

Redevelopment Commission Representative Joe Rurode informed the Council that the Commission is going to start building out the process for internal economic development protocol. The Commission and staff are going to start to work with everyone to create a forecast for activity that is forthcoming and how to have everybody prepared and how to react for that.

The following purchase orders were presented for discussion: purchase order #2350 and 2377.

Correspondence:

IDEM – Notice of Public Comment – Part 70 Operating Permit for Magnetics International
IDEM – Notice of Public Comment – Part 70 Operating Permit for Indiana Flame Service
IDEM – Notice of Public Comment – Part 70 Operating Permit for Precoat Metals
IDEM - Approval of Part 70 Operating Permit for Calumite Company, LLC
IDEM – Approval of Title V Administrative Amendment for US Steel Midwest Plant

Presentations, Resolutions, Ordinances and Remonstrance:

Ordinance 267-2016 Amending the Text of the Sewer Rate Ordinance:

Councilman Bozak read **ORDINANCE 267-2016 AN ORDINANCE OF THE BURNS HARBOR TOWN COUNCIL AMENDING THE TEXT OF THE SEWER RATE ORDINANCE**

WHEREAS, the Burns Harbor Town Council has adopted a Sewer Rate Ordinance codified as Chapter 18 of the Town Code of Burns Harbor, Indiana;

WHEREAS, the Burns Harbor Sanitary Board has initiated certain amendments to the text of portions of the Sewer Rate Ordinance in order to make certain changes to the procedures regarding payments, delinquent accounts and new service locations and/or users;

WHEREAS, a public hearing has been held before the Burns Harbor Sanitary Board and said Board has paid reasonable regard in preparing and considering the proposal, and now certifies its proposal to amend the text of portions of its Sewer Rate Ordinance to the Burns Harbor Town Council;

WHEREAS, notice has been given in accordance with Indiana Code of all proceedings concerning these text amendments; and

WHEREAS, the Burns Harbor Town Council concurs with its Sanitary Board and accepts this proposal;

NOW THEREFORE, be it and it is hereby ordained by the Burns Harbor Town Council as follows:

Section 1. That Chapter 18, Section 3(a) of the Town Code of the Town of Burns Harbor shall be amended as follows:

The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges as the same is determined by equivalent residential units ("ERU"). The Town will send payment books to all users in November for the following year. Sewage service bills shall be paid by the user on a monthly basis.

Section 2. That Chapter 18, Section 4(a) of the Town Code of the Town of Burns Harbor shall be amended as follows:

The rates and charges for all users shall be prepared in the form of a payment book sent to all users in November for the following year and paid by the user on a monthly basis.

Section 3. That Chapter 18, Section 4(g) of the Town Code of the Town of Burns Harbor shall be amended as follows:

Prior to giving notice to the water utility to discontinue service, the Board shall provide a shutoff notice, in writing, to the user billed in subsection (b) above indicating that there are delinquent charges, specifying the amount that is past due and the time and date by which the past due amount must be paid, and stating that water service to the premises will be shut off after the

Burns Harbor Town Council
Regular Meeting
March 9, 2016

specified date unless the user requests a hearing prior to that date or provides payment in full of the delinquent charges in the form of cash, money order or cashier's check no later than 12:00 p.m. two (2) days prior to the date set forth in the shutoff notice.

Section 4. That Chapter 18, Section 4 of the Town Code of the Town of Burns Harbor shall be amended by the addition of the following, as Section 4(j):

Any fee(s) charged to the Town due to user's attempt to pay with a non-sufficient fund check shall be added to the amounts billed to the user. After receiving two (2) non-sufficient fund checks from the same user, the Town shall require said user to pay future bills via cash, money order or cashier's check.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

Councilwoman Biancardi made a motion that the Town adopts **Ordinance 267-2016** as read. Councilman Hull seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Ordinance 267-2016 passed its first reading.

Councilwoman Biancardi made a motion that the Town declares an emergency and suspends the rules of adopting an ordinance in two separate meetings. Councilman Hull seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Councilman Hull made a motion that the Town adopts **Ordinance 267-2016** on its second reading. Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Ordinance 267-2016 passed and was adopted.**

Resolution 2016-05 Amending 2016 Salary Ordinance

Councilwoman Biancardi made a motion that the Town adopts **ORDINANCE 2016-05 2016 SALARY AND WAGES Amending Ordinance 2016-03 BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA** that the following listed Officers and Employees receive compensation for the year of 2016 in the amount and manner hereinafter set forth:

Officer/Employee	Frequency of Payment.	Amount of Compensation
Council Members (5)	Monthly	\$ 4,000.00 each per year.
Clerk-Treasurer	Bi-weekly	2,067.52 bi-weekly Exempt 75% from General Fund 25% from Sanitation Fund
Town Marshal	Bi-weekly	27.84 hourly.
Assistant Deputy Marshal	Bi-weekly	1,000.00 per yr. Exempt
Sergeant	Bi-weekly	21.50 - 24.50 hourly
Corporal	Bi-weekly	21.00 - 24.00 hourly
Deputy Marshal	Bi-weekly	19.75 - 24.00 hourly.
Probationary Deputy Marshal	Bi-weekly	17.50 - 20.00 hourly.
Deputy Marshal Part-time	Bi-weekly	16.00 - 18.00 hourly.
Police Clerk Full-time	Bi-weekly	16.50 - 20.50 hourly.
Police Clerk Part-time	Bi-weekly	10.00 - 13.00 hourly.
GM/MVH Superintendent	Bi-weekly	27.59 hourly.
GM Laborer Full-time	Bi-weekly	18.00 - 23.50 hourly.
MVH Eqpt. Operator Part-time	Bi-weekly	13.00 – 17.00 hourly.
GM/BLDG Clerk Full-time	Bi-weekly	16.00 – 21.00 hourly. 75% from GM General Fund 25% from Bldg General Fund
GM/BLDG Clerk Part-time	Bi-weekly	10.00 – 13.00 hourly.
Building Commissioner	Bi-weekly	8,423.00 per year. Exempt
Building Inspector	Monthly	35.00 per inspection performed

Burns Harbor Town Council
Regular Meeting
March 9, 2016

Building Code Enforcement Part-time	Bi-weekly	13.00 - 17.00 hourly
Fire Chief	Bi-weekly	13,317.00 per year. Exempt
Fire Department Secretary	Monthly	8,000.00 per year.
Plan Commission Board Members (7)	Yearly	500.00 each per year.
Plan Commission Secretary	Monthly	3,000.00 per year based upon 12 meetings per year and additional \$200.00 per special meeting.
BZA Board Members (5)	Yearly	500.00 each per year
BZA Secretary	Monthly	3,000.00 per year
Sanitary Sewer/Storm Water Superintendent	Bi-weekly	27.59 hourly from Sanitation Fund
Sanitary Sewer/GM Laborer Full-time	Bi-weekly	19.00 – 23.50 hourly 10% from General Fund 90% from Sanitation Fund
Sanitation Clerk	Bi-weekly	15.00 – 21.00 hourly
Sanitary Sewer/GM Laborer Part-time	Bi-weekly	13.00 – 17.00 hourly
Sanitary Sewer Resident Board Members (3)	Yearly	500.00 each per year.
Redevelopment Commission Secretary	Monthly	3,000.00 per year

In addition the Town will pay all full-time employees longevity compensation in the amount of \$100.00 per year to be paid on the payroll following the employee’s anniversary full-time hire date. For all other benefits and paid time off, refer to personnel handbook adopted on November 11, 2009.

Salaries contained in this Ordinance are to be deemed the maximum allowable salary payable for each position. See attached salary listing.

New pay rates will take effect with the first payroll check written beginning the January, 2016.

Passed and Adopted this 9th day of March, 2016.

Police Department:

Michael Heckman	Chief	27.84 hourly
Michael Chandler	Corporal	23.93 hourly
Shayna Dujmovich	Clerk	18.47 hourly
Timothy Lucas	Deputy Marshal	23.38 hourly
Jeremy McHargue	Corporal	23.93 hourly

Street Department:

Randal Skalku	Superintendent	27.59 hourly
Derrell Melton	Labor	23.11 hourly
Robert Wesley	Labor	23.11 hourly 10% from General
Loretta McCormick	Clerk	19.92 hourly 75% from GM General 25% from Blding General

Sanitation Department:

William Arney	Superintendent	27.59 hourly Minus Fire & Blding pay
Robert Wesley	Labor	23.11 hourly 90% from Sanitation
New Full Time Hire	Clerk	15.00 hourly

Councilman Rogala seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Resolution 2016-05 Amending 2016 Salary Ordinance passed and was adopted.

Resolution 2016-06 Amending 2016 Park Salary Ordinance

Councilman Bozak stated the only change is to pay the Park Director Monthly \$1,321.00 per month and additionally \$50.00 per department head meeting.

Councilwoman Biancardi stated that particular person is not full time so, if they were to be requested to come to a meeting so that everyone could coordinate efforts for an event or an activity, I recommended that we provide payment for that meeting.

Burns Harbor Town Council
Regular Meeting
March 9, 2016

Councilman Poparad asked if the Park has it in their budget or since we are requiring it are we going to pay it? After further discussion, Councilman Poparad asked that matter be put on hold until the Park Board can determine if they have the funds to pay for the additional compensation.

New Business:

Department Head monthly meetings:

Councilwoman Biancardi proposed the idea of having a staff meeting once a month to discuss how we can help each other, how the Council can support our staff. The Council could take turns attending the meetings as schedules allow.

After further discussion, the Council's consensus was to have staff meetings the third Friday of each month at 9:00 a.m. Councilman Poparad and Councilwoman Biancardi will attend the first meeting on March 18th at 9:00 a.m.

Town Auction:

Councilman Poparad informed the Council that the auctioneer that the Town had lined up backed out so, he will seek other quotes to be discussed at the next meeting. The auction will be in July and the department heads are to put a list together of their unused items to place in the auction.

Accepting credit/debit card and automatic deduction payments:

Councilwoman Biancardi informed the Council that she asked Clerk-Treasurer Jordan research avenues to possibly accept card payments for at least sanitation.

Councilman Hull stated I think that's an excellent idea. I think we can charge a fee to the customer wanting to pay that way. We don't want to deduct that from sanitation and you don't want to raise the rates for other customers.

Hire full-time sanitation clerk:

Councilwoman Biancardi made a motion that the Council hires Corinne Peffers as the full-time sanitation clerk. Councilman Bozak seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Councilman Poparad informed those present this position will be in the Town Hall and no longer be in the street department building beginning April first.

Councilwoman Biancardi informed the Council she will work from 7:30 a.m. to 4:00 p.m.

2016 road paving projects in collaboration with towns of Chesterton and Porter:

Councilman Poparad informed the Council that since he reported at the last meeting of the South Babcock paving venture with Town of Porter, the Town of Chesterton has informed him that they plan to pave their section of South Babcock Road as well. The Town has funds available to pave our sections of South Babcock using the bids Porter and Chesterton received from their bidding process.

Burns Harbor resident Gordon McCormick of Chippewa Trail asked if they would be doing the base. Councilman Poparad replied they would be doing the base.

Town Marshal Heckman informed the Council that April 2nd the State is going to be working on U.S. Highway 12 and State Road 149.

Old Porter Road drainage assessment:

Sanitation Superintendent Arney informed the Council that he and the town engineer did an early assessment. We are going to have to get the vacuum truck out there, we will camera the line and then we will have a better idea of what has to be done.

Approval to Pay Vouchers:

Councilman Hull moved to approve all vouchers with three or more signatures. Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Burns Harbor Town Council
Regular Meeting
March 9, 2016

Other Business:

Councilman Poparad informed the Council that he has an independent contract for services from Danielle Ziulkowski for town work.

Councilman Hull made a motion that the Town accepts the contract from Danielle Ziulkowski for communications services. Councilman Rogala seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Approval of Financial Report:

Councilwoman Biancardi moved to approve the February 2016 financial report. Councilman Bozak seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Other Business:

Council discussed the purchase order for windows. Council consensus was to get additional quotes for the windows in the street/building department.

Old Business:

Appointment to open seat on Park Board:

Discussed earlier in the meeting under reports.

Good of the Order of the Community:

Councilwoman Biancardi informed the Council that the Town has six thousand dollars in its funds that could be used for information technology (IT) improvements. Councilwoman Biancardi made a motion that the Town continue with the IT project starting with networking the new copy machine, new sanitary clerk computer and the Clerk-Treasurer's computer to share Internet access not to exceed \$6,000. Councilman Rogala seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Burns Harbor resident Chrystal Westphal of Stanley Street asked when the meeting minutes would be available on the town website. After discussion, Council consensus was to upload the minutes only after they have been approved by the Council at their next meeting.

Burns Harbor resident Chrystal Westphal of Stanley Street asked who owns the leaf vacuum that the Town plans to purchase. Councilman Poparad said he would inform the public of the owner once a purchase is agreed by both parties so, no one purchase the equipment out from under the Town.

Councilman Poparad informed the Council that a contract for grant writing work was submitted to the Town from Tina Rongers, Kaenerblue and requested that it be placed on next month's agenda.

Councilman Poparad informed the residents scholarship applications are available in the Clerk-Treasurer's office and on the town website.

Clerk-Treasurer Jordan asked if the Council would consider applying for bicentennial grants for the town's bicentennial projects. Council consensus was to place the matter on next month's agenda.

Burns Harbor resident Gordon McCormick of Chippewa Trail asked if the Town would stripe Verplank Road all the way to U.S. 20. Council asked Street Superintendent Melton to request quotes.

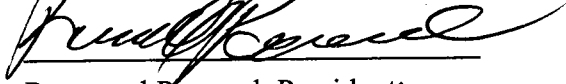
Street Superintendent Melton requested that the Town address repairing the patch that the State did on Navajo Trail last summer.

Councilman Rogala made a motion that we adjourn. Councilman Bozak seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

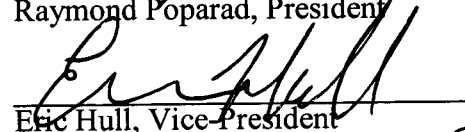
Burns Harbor Town Council
Regular Meeting
March 9, 2016

There being no further business to discuss, the meeting concluded at 8:10 p.m.

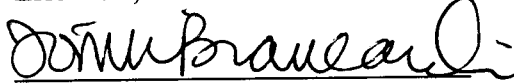
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TOWN OF BURNS HARBOR



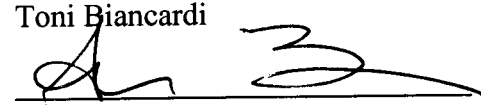
Raymond Poparad, President



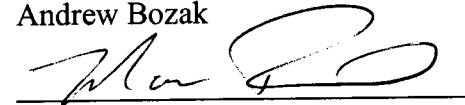
Eric Hull, Vice-President



Toni Biancardi

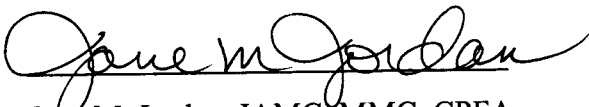


Andrew Bozak



Marcus Rogala

ATTEST:



Jane M. Jordan, IAMC, MMC, CPFA
Clerk-Treasurer